

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: CITY OF MANILLA, MUNICIPAL GAS DEPARTMENT	DOCKET NO. SPU-01-16
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ORDER CANCELING HEARING AND MODIFYING PROCEDURAL SCHEDULE

(Issued July 12, 2002)

On May 16, 2002, the Utilities Board (Board) issued an order establishing a procedural schedule and setting a date for an evidentiary hearing in this docket. The Board subsequently extended the date for filing prefiled testimony and by order issued June 11, 2002, rescheduled the hearing to July 24, 2002. A prehearing conference was scheduled for July 9, 2002.

The prehearing conference was held as scheduled. The City of Manilla, Municipal Gas Department (Manilla) and Complainants Howard Ahrenholtz, Randy Ahrenholtz, Art Joens, Jay Miller, Terry Schechinger, and Marvin Vennink, appeared and both parties were represented by counsel. At the prehearing conference, the parties agreed that the hearing should be canceled and that they would file depositions of witnesses in lieu of prefiled testimony and cross-examination at a hearing. The parties also indicated that they still wished to file briefs as scheduled. Additionally, the Board requested the parties file with the Board a pleading indicating

the party's agreement to the admissibility or objection to the responses filed by the parties to the Board's inquiries in the March 18, 2002, order.

IT IS THEREFORE ORDERED:

1. The evidentiary hearing scheduled for July 24, 2002, is canceled.
2. The parties shall file the depositions of witnesses in lieu of prefiled testimony and cross-examination of witnesses at an evidentiary hearing on or before July 24, 2002.
3. The date for filing simultaneous briefs is July 31, 2002.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 12th day of July, 2002.